## IN THE SUPREME COURT OF THE STATE OF DELAWARE

> Submitted: October 12, 2011 Decided: October 24, 2011

Before HOLLAND, BERGER and JACOBS, Justices.

## ORDER

This 24<sup>th</sup> day of October 2011, upon consideration of the briefs of the parties, and their contentions in oral argument, it appears to the Court that the judgments of the Superior Court should be affirmed on the basis of and for the reasons set forth in its decisions dated February 26, 2009, September 30, 2009 and July 30, 2010.

NOW, THEREFORE, IT IS ORDERED that the judgments of the Superior Court are **AFFIRMED**.

BY THE COURT:

/s/ Jack B. Jacobs
Justice